IN RE: PETITION FOR ADMIN. VARIANCE

W/S of Kurtz Avenue, 200' N

of Spring Avenue

8th Election District

4th Councilmanic District

(1708 Kurtz Avenue)

Holly S. & John C. Sefter

Petitioners

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 02-351-A

\* \* \* \* \* \* \* \* \* \* \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as an Administrative Variance filed by the legal owners of the subject property, Holly and John Sefter. The property is located at 1708 Kurtz Avenue in the Lutherville area of Baltimore County. The subject property is zoned D.R.2. The Petitioners herein seek a variance from Sections 1B02.3.C.1 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 7 ft. in lieu of the required 11.25 ft. for a carport (attached) in a D.R.2 zone side yard. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1, the plat to accompany the Petition for Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict

2000 March Commence of the Com

compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted subject to the restrictions listed below.

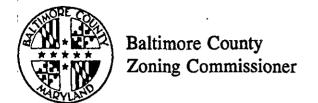
THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 20 day of March, 2002, that the Petitioners' request for variance from Sections 1B02.3.C.1 and 301.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), to permit a side yard setback of 7 ft. in lieu of the required 11.25 ft. for a carport (attached) in a D.R.2 zone side yard, be and is hereby GRANTED.

TIMOTHY M. KOTROCC

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

TMK:raj



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

Fax: 410-887-3468

March 22, 2002

Mr. & Mrs. John C. Sefter 1708 Kurtz Avenue Lutherville, Maryland 21093

Re: Petition for Administrative Variance

Case No. 02-351-A

Property: 1708 Kurtz Avenue

Dear Mr. & Mrs. Sefter:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

Timothy M. Kotroco

Deputy Zoning Commissioner

with 16 troco

TMK:raj Enclosure



## **Petition for Administrative Variance**

## to the Zoning Commissioner of Baltimore County

rty located at 1708 Kurtz Ave Lutherville mi
which is presently zoned
Permits and Development Management. The undersigned, legal d which is described in the description and plat attached hereto and Section(s) 1302.3 C1 5 301.1 A, To People A Recorded Actions The People of Lines FT. Four A CASTON (ATTACK)
EW OF THE PEQUATED 11 301.1A, TO PEOUNTA
MAS FT. FON A CANTONT (MTTACK
ning law of Baltimore County, for the reasons indicated on the back
y the zoning regulations. ng, posting, etc. and further agree to and are to be bounded by the zoning suant to the zoning law for Baltimore County.
I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.
Legal Owner(s):
John SEFTER
Name Type or Print
Signature Signature
Hally S. Sefter
Name - Type or Rrint
e Signature D. Balt
1708 Kurtz Auc 410 252-8979 Address Telephone No
City State Zip Code
Representative to be Contacted:
Name Sector
Address Telephone No
city State Zip Code
to be required, it is ordered by the Zoning Commissioner of Baltimore County
ter of this petition be set for a public hearing, advertised, as required by the zoning

REV 10/25/01

02-351-A

Reviewed By <u>SO</u>の Date <u>02-22</u>の

Zoning Commissioner of Baltimore County

Estimated Posting Date <u>03-03-03</u>

# Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at	1708 kullz	Aus	
	City	State	ZIG93 Zip Code
That based upon personal knowledge, the follow Variance at the above address (indicate hardship this is a vistoric home. As you contains in a vistoric home. As you contains and a contains should be a contained in the should be a contained in the should be a contained in the drained is sue, provide a contained in the drained is sue, provide a contained in the should be a contained the contained the contained the contained by the manyland the should be a contained to the contained the cont	wing are the facts up p or practical difficult an Ece in the gh a bookenest out of the holder was proposed to make compliant to the bookenest storage is mare compliant and bout and was bookened to the booke	imentary to the har	we attached to the house toward of the appertunity to most importantly
That the Affiant(s) acknowledge(s) that if a for advertising fee and may be required to provide a signature  Tohn C. SEFTER  Name - Type or Print			<del>-</del>
STATE OF MARYLAND, COUNTY OF BALTIN			
of Maryland, in and for the County aforesaid, per the Affiant(s) herein, personally known or satisfations.	rter		Notary Public of the State
AS WITNESS my hand and Notarial Seal	Notary Pub My Commis	olic Salic S	el 1-1-03

REV 10/25/01 N

Beginning on the west side of Kurtz Avenue ar a distance of 200 feet northeasterly from the corner formed by the intersection of the west side of Kurtz Avenue with the north side of Spring Avenue, said Avenues being shown on a Plat of Lutherville recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 8, page 57 thence leaving Kurtz Avenue for a new line of division North 72 degrees 10 minutes 11 seconds West 474.77 feet to the east side of Northern Central Railroad, formerly the Baltimore and Susquehanna Railroad, thence binding along said Railroad with the line curving to the left having a radius of 1098.84 feet, plus or minus, for a distance of 141.25 feet (the arc of which is subtended by a chord bearing North 0 degrees 47 minutes 10 seconds East 141.15 feet), thence leaving said railroad for a new line of division South 72 degrees 10 minutes 11 seconds East 310.26 feet to the end of the second line as described in a Deed dated May 8, 1948 and recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1163, folio 204, thence continuing along the last mentioned course and binding reversely with the second line of the last aforementioned Deed South 72 degrees 10 minutes 11 seconds East 209.50 feet to the west side of Kurtz Avenue South 19 degrees 21 minutes 49 seconds West 135.00 feet to the place of beginning. Continuing 1.5357 acres of land more or less. Being part of Lots No. 12,13,22, and 23, as laid out on the above mentioned Plat of Lutherville. The improvements thereon being known as No. 1708 Kurtz Ave.

\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

Beginning on the west side of Kurtz Avenue at a distance of 200 feet northeasterly from the corner formed by the intersection of the west side of Kurtz Avenue with the north side of Spring Avenue, the front of the property measures 135 feet. The Southern side measures 474.77 feet. The rear of the property measures 141.25 (arc..see above description), and the north side measures a total of 519.76 feet. The total acreage is 1.5. The property is known as 1708 Kurtz Ave.

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		BALTIMORE COUNTY, MARYLAND OFFICE OF BUDGET & FINANCE No. 10129
		MISCELLANEOUS RECEIPT  PARE OZ-ZZ-OZ ACCOUNT ROCCOCG G SCOTE HOLL LINE RESER SELECTION OF THE PROPERTY OF THE
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* *		DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER  CASHIER'S VALIDATION

## TIFICATE OF POSTING

ADMIN

02-351-A RE: Case No.:

Petitioner/Developer. SEFTER, ETAL

Date of Hearing/Closing:

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204

Attention Ms. Gwendolyn Stephens & GEORGE ZAHNER

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at #1708

OZ Month, Day, Year) The sign(s) were posted on

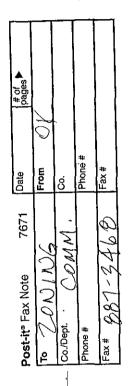
PATRICK M. O'KEEFE

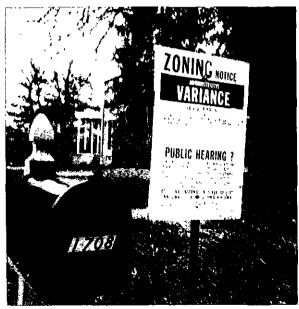
(Printed Name) 523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030 (City, State, Zip Code)

410-666-5366; CELL-410-905-8571 (Telephone Number)





1708 KURTZ AVE-SEFTER

## DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

#### OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

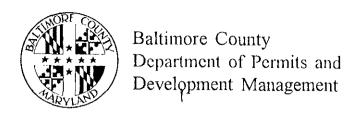
For Newspaper Advertising:
Item Number or Case Number: 02-351-A.  Petitioner: John & Howy Setter.
Address or Location: 1708 Kuzzz Auc.
PLEASE FORWARD ADVERTISING BILL TO:  Name:SOLLY SEFTED
Address: 1708 Kurte Ave.
Telephone Number: 4 10- 252-8979

Revised 2/20/98 - SCJ

## BALTIMORE COUNTY DE RTMENT OF PERMITS AND DE COPMENT MANAGEMENT ZONING REVIEW

### **ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES**

Address 1 10 3 1 UTCT 2 1+UE.
Contact Person: Sound R. L. C. ANDER. Phone Number: 410-887-339 Planner, Please Print Your Name
Filing Date: 03.03.03 Posting Date: 03.03.07 Closing Date: 03.18
Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.
1. POSTING/COST: The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. An reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. <u>DEADLINE</u> : The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
ORDER: After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (corder that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. POSSIBLE PUBLIC HEARING AND REPOSTING: In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.
(Detach Along Dotted Line)
Petitioner: This Part of the Form is for the Sign Poster Only
USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT
Case Number 02- 351 -A Address 1708 Kurtt. HOG
Petitioner's Name <u>SOUNS NECCH SEFTEN</u> Telephone 440-252-8979
Posting Date: <u>03-0302</u> Closing Date: <u>03-18-07</u>
Wording for Sign: To Permit A ZFI. SIDE YARD SETBREK IN
LIEW CF THE REDUITED 11.75 FT. FOUA CAPITLIAGE
HUZO (CARTROUT.)
02.351-WGR - Revised 6/28/00



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

March 18, 2002

Mr. & Mrs. John Sefter 1708 Kurtz Avenue Lutherville MD 21093

Dear Mr. & Mrs. Sefter:

RE: Case Number: 02-351-A, 1708 Kurtz Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 02-22-02.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richard, Jr.

W. Carl Richards, Jr. 607 Supervisor, Zoning Review

WCR: gdz

Enclosures

c: People's Counsel

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

**DATE:** April 9, 2002

TO:

Arnold Jablon, Director

Department of Permits & Development

Management

FROM{

Robert W. Bowling, Supervisor Bureau of Development Plans Review

SUBJECT

Zoning Advisory Committee Meeting

for March 11, 2002

Item Nos. 333, 350, (351) 352, 353, 354, 355, 356, 358 and 359

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:CEN:cab

cc: File



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 410-887-4880

March 12, 2002

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: George Zahner

RE: Property Owner: See Below

Location: DISTRIBUTION MEETING OF March 11, 2002

Item No.: 333, (351), 355, 357, 358, and 359

Dear Ms. Stephens:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The Fire Marshal's Office has no comments regarding the item numbers listed above.

REVIEWER: LIEUTENANT JIM MEZICK, Fire Marshal's Office PHONE 887-4881, MS-1102F

cc: File

### BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Arnold Jablon

FROM:

R. Bruce Seeley RBS NoT

DATE:

April 9, 2002

Zoning Advisory Committee Meeting of March 11, 2002

SUBJECT: NO COMMENTS FOR THE FOLLOWING ZONING ITEMS:

333, 344, 350-355, 358, 359

Waiting on AG Comments for #356

## BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

**DATE:** March 11, 2002

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

MAR | 1 2002

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-329, 02-350, 02-351, 02-355 & 02-357

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Section Chief:

AFK/LL:MA¢



### Maryland Department of Transportation State Highway Administration

Parris N. Glendening Governor

John D. Porcari Secretary

Parker F. Williams Administrator

Date: 3.8.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County

Item No. 351

JRA

Dear, Mr. Zahner:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Kenneth A. McDonald Jr., Chief Engineering Access Permits Division

1. 1. stull

My telephone number is \_\_\_\_\_\_

## BALTIMORE COUNTY HISTORIC PERMIT APPLICATION

For Projects Located in Local Historic Districts or for Structures on the Preliminary or Final Landmarks List

This application must be typewritten or printed legibly	
and submitted to the Office of Planning. All items	
must be completed and the required documents must	PLEASE DO NOT WRITE IN THIS SPACE
accompany this application.	Application No.
	Date Received
Applicant Hally Sefter	Date Completed
Applicant	Review Date
Street Address	Historic District
Lutherville MD 21093	MHT Inventory No.
City, State, Zip Code	Landmark List No.
410 252 8979	
Daytime Telephone Number	
	7
Owner, if not Applicant	Architect or Contractor
•	
Street Address	Street Address
City Out The Court of the Court	12115 am list stidled
City, State, Zip Code	City, State, Zip Code
Daytime Telephone Number	410 557 -7311
adding relephone Mumber	Daytime Telephone Number
PROPERTY DESCRIPTION:	
Name of Property (if applicable)	
1708 Kurtz Aug Luthe	5POIS GM. allers
Property Address (street address and zip code)	3
Baltimore	
County (PDM, DRC, or Building Permit) Project No. (if ap	plicable)
Property Tax Map Number 60 346 Tax Accou	Election District Proptery Tax Number (2 digits) Proptery Tax Number (10 digits)
TYPE OF WORK (Check all that apply):	
Fence Windows/Doors/Shutte Siding/Trim Addition Signage Roofing Parking Lot Accessory Building Landscaping Other	ersExact Duplicate - same design and materialsOrdinary Maintenance - repaint, repair, no change in design or materials

Page 1, Baltimore County Historic Permit Application

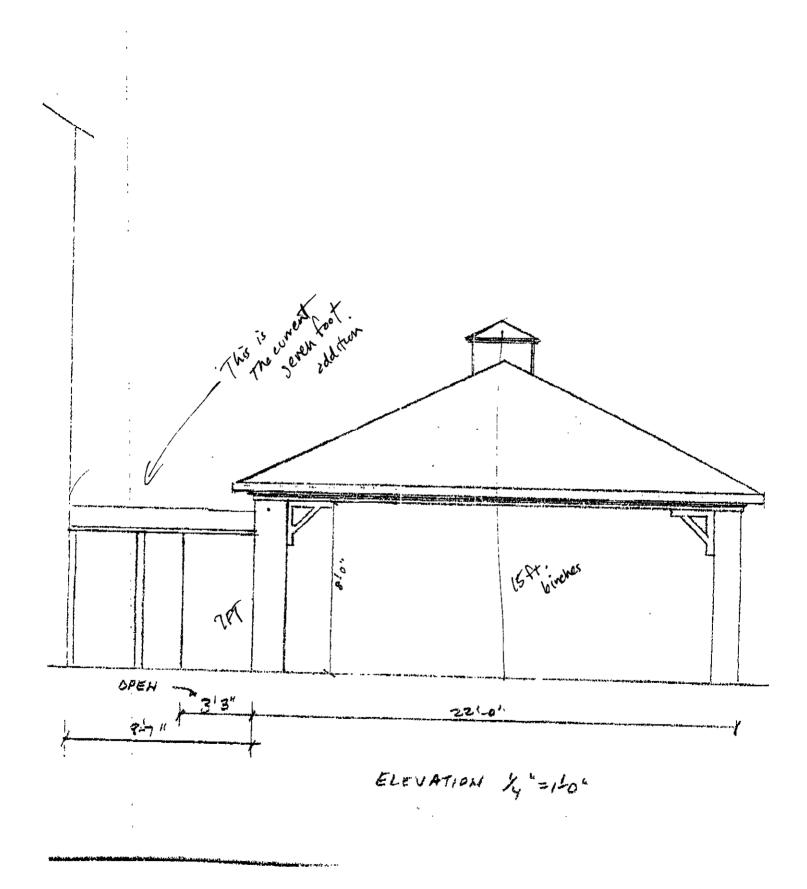
02.351.6

The Sefter's are proposing the addition of a 'carriage hold' on the north side of their home. Currently, there is a structure in this location that serves as the entrance into the basement with an extension of the roof to provide a small storage area. The wood columns are rotting and need of repair as is the wood frame which provides support for the roof.

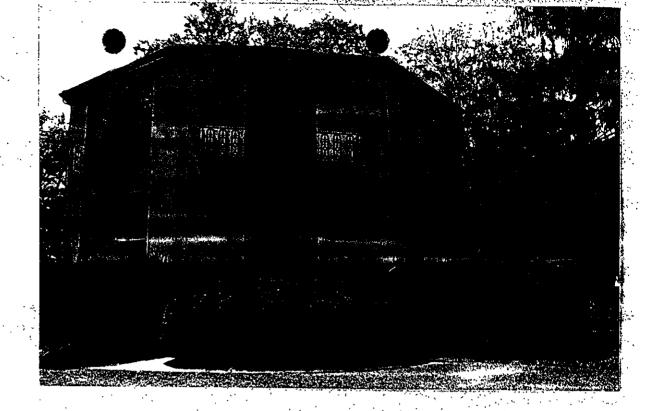
The Sefter's propose to remove the storage section of this structure. In its place, they would erect an attached 'carriage hold'. The roof from the basement entrance would be extended 3'3" and tie into the carriage hold roof. The carriage hold measures 22' in width, by 22' in length, and 13' in height. A cupola on top of the carriage hold roof will bring the total height to 15'6". (The total out structure will measure 30' 7"). The floor will be concrete, possibly stained a shade of gray. The support pillars will measure 16" square and be concrete blocks covered with stucco that will be painted to match the color of the house. The roofing material will match that on the house and any decorative trim will either be of wood or iron. New wood columns will replace the current ones. Any wood trim will be painted to match the trim of the house.

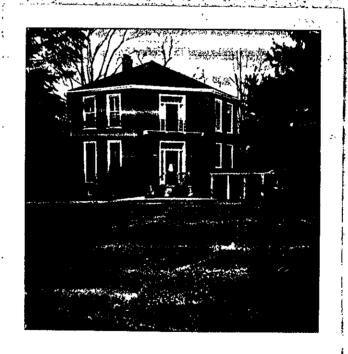
It is the owner's desire to provide contained parking and protection for their vehicles, while at the same time enhancing the balance of the house with the addition. The current structure is in poor condition and out of balance with the house.

C2-35(·(·)

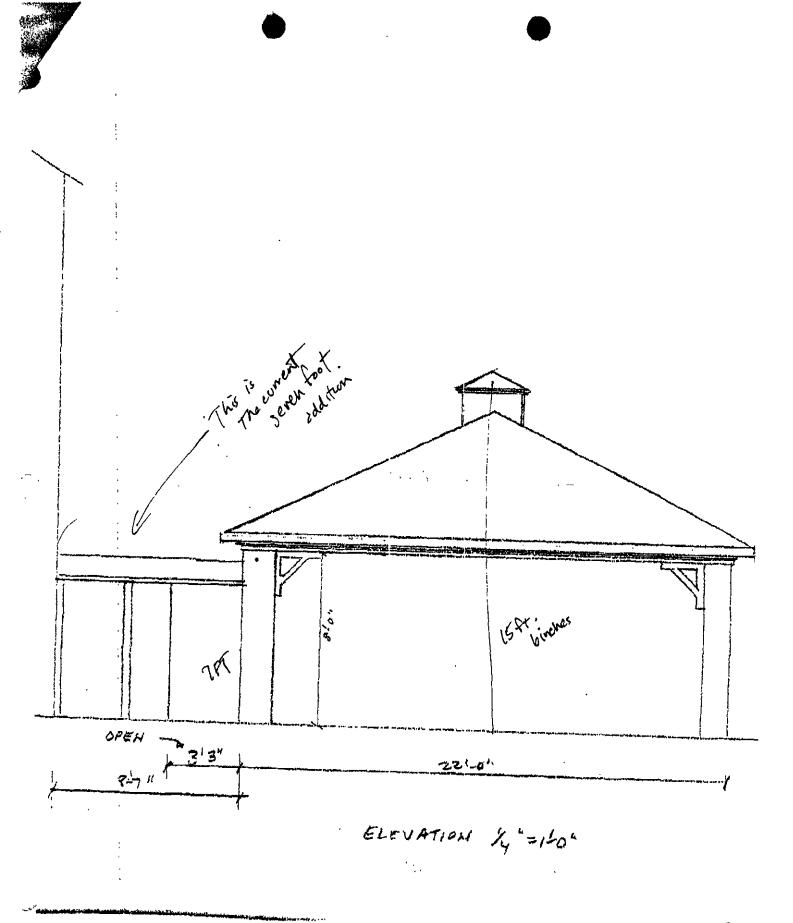


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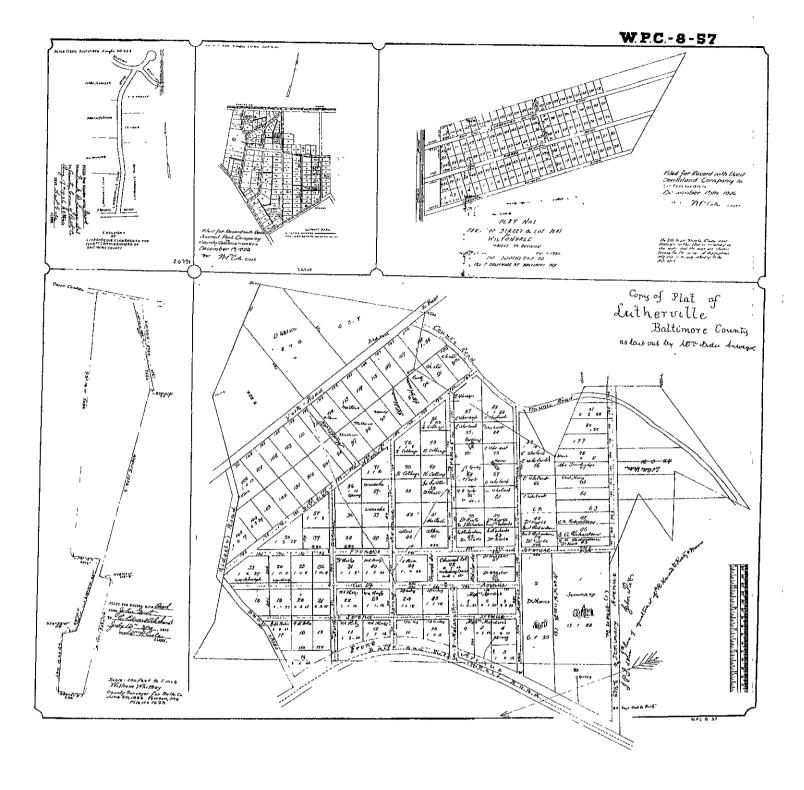




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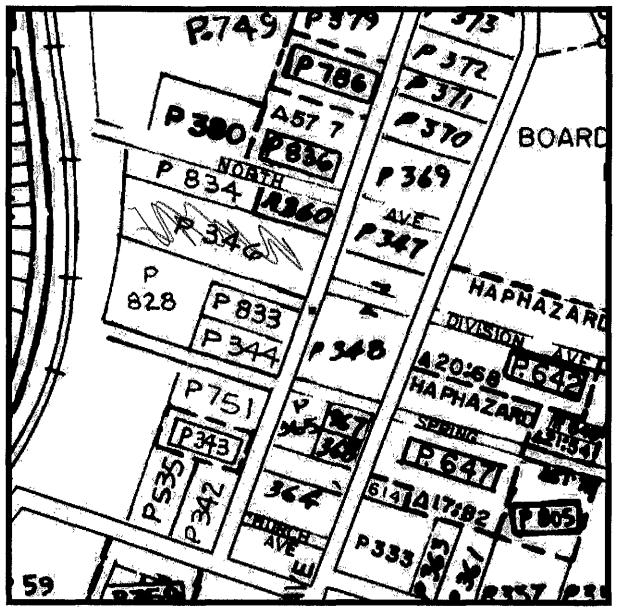




Maryland Department of Assessments and Taxation BALTIMORE COUNTY
Real Property Data Search

Go Back View Map New Search

District - 08 Account Number - 2100000177

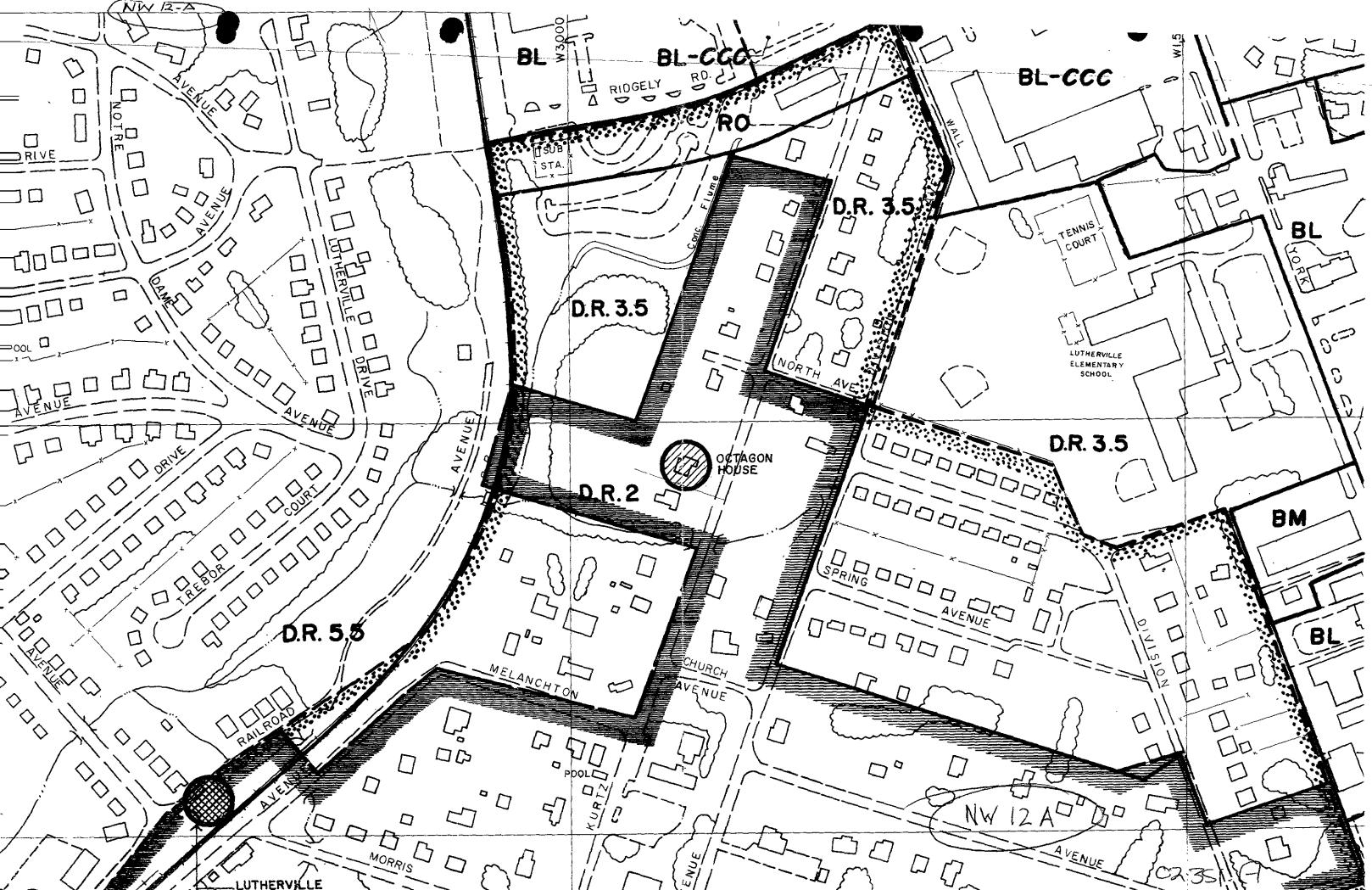


Property maps provided courtesy of the Maryland Department of Planning ©2000. For more information on electronic mapping applications, visit the Maryland Department of Planning web site at <a href="https://www.mdp.state.md.us">www.mdp.state.md.us</a>

02-351-9

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PLAT TO AC	MPANY PETITION FOR ZOI	VING VARIANCE	SPECIAL HEARING
SUBDIVISION NAME	10 # 57 LOT # SECTION #		TAISUT SEMENTAL OF THE STATE OF
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VENUE	4	SAN DE LE	CHESAPEAKE BAY CRITICAL AREA  100 YEAR FLOOD PLAIN HISTORIC PROPERTY/ BUILDING  PRIOR ZONING HEARING  YES NO  X  YES NO  X  X  YES NO  X  X  X  X  YES NO  X  X  X  X  X  YES NO  X  X  X  X  X  YES NO  X  X  X  X  Y  X  X  Y  X  X  Y  X  X
NORTH PREPARED BY	RUUTZ AVEN		ZONING OFFICE USE ONLY REVIEWED BY ITEM # CASE #

Pot 4





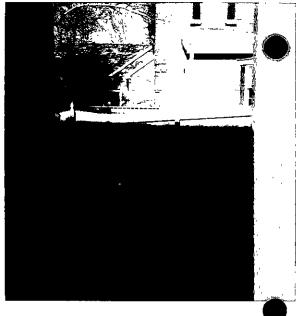
553 18 1 July 1-

02-35-4

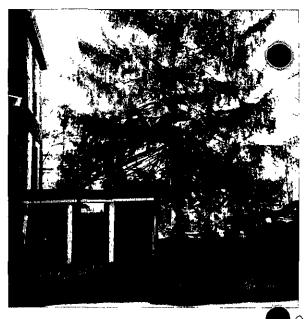
1708 Kurt - Mrs



DOB KUNTZ AUS



525-420 DR-351-A



5002200 02 1708 Kurka Pare